

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM NELSON,

Plaintiff,

v.

MARY MADDEN; KAYLA AYERS;
CLINT P JOHNSON; JUDGE SUSAN
ADAMS; PIERCE COUNTY; PIERCE
COUNTY SUPERIOR COURT,

Defendants.

Case No. 3:25-cv-05490-TMC

ORDER VACATING TEMPORARY
RESTRAINING ORDER

On June 3, 2025, Plaintiff William Nelson moved for a Temporary Restraining Order (TRO) against Defendants, Pierce County Superior Court and several of its officials and employees. Dkt. 2. The TRO requested that the Court stay a hearing scheduled for June 4, 2025 in Pierce County Superior Court. *Id.* Mr. Nelson claimed that he was a defendant in the state court case. *Id.* Mr. Nelson alleged that the Defendants denied him reasonable accommodations under the Americans with Disabilities Act (“ADA”) and that requiring him to go forward with the hearing will violate his rights under the ADA and the Due Process Clause of the United States Constitution and cause him irreparable harm. *Id.*

The Court, relying on Mr. Nelson’s statements, found that he had shown serious questions going to the merits of his claims, a potential for irreparable harm, and that the balance

1 of hardships tips in his favor. Dkt. 8 at 2. Accordingly, the Court granted temporary injunctive
2 relief to preserve the status quo, enjoining Defendants from proceeding with the scheduled state-
3 court hearing until both parties can be fully heard on the merits of this motion. *Id.*

4 On June 4, 2025, Defendants appeared and moved to vacate the TRO. Dkt. 10.
5 Defendants explained that the underlying state court matter is a civil petition for a Vulnerable
6 Adult Protection Order (VAPO) to which Mr. Nelson is not a party. *Id.* at 3. Defendants also
7 noted that, contrary to Mr. Nelson's claims, they are engaging in the accommodation process and
8 have allowed him to appear for hearings by Zoom—even though he is not a party. *Id.* at 6.

9 The Court's initial determination that Mr. Nelson faced irreparable harm and had shown
10 serious questions on the merits rested on his attestation that he was a defendant in the state court
11 action. Dkt. 8 at 4–7. In light of the new information Defendants have provided, the Court
12 VACATES the TRO. *See Sovereign v. Deutsche Bank*, 856 F. Supp. 2d 1203, 1218 (D. Or. 2012)
13 (vacating TRO where the basis for the court's conclusion that plaintiffs had shown a likelihood
14 of success on the merits changed). Because Mr. Nelson is not a party to the action, *see generally*
15 Dkt. 12-3, Dkt. 12-4, and because the Defendants have nonetheless engaged in the
16 accommodations process, *see generally* Dkt. 12-2, Dkt. 13-5, the Court finds that Mr. Nelson
17 does not face irreparable harm if the hearing is allowed to proceed. And the Court finds that
18 Mr. Nelson has not raised serious questions on the merits.

19 Thus, the Court GRANTS Defendants' motion to vacate the TRO. Dkt. 10. The Court
20 VACATES the TRO entered on June 3, 2025. Dkt. 8. The Vulnerable Adult Protection Order
21 matter pending in Pierce County Superior Court Cause No. 25-2-01460-1 may proceed on the
22 merits per the trial court's discretion.

23 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
24 to any party appearing pro se at said party's last known address.

1 Dated this 4th day of June, 2025.

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3 Tiffany M. Cartwright
4 United States District Judge
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